

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA *

vs. * CRIMINAL NO. MJG-11-0652

EFPLOIA SHIPPING CO., S.A. *

Defendant *

* * * *

UNITED STATES OF AMERICA *

vs. * CRIMINAL NO. MJG-11-0671

AQUAROSA SHIPPING A/S *

Defendant *

* * * * *

MEMORANDUM AND ORDER RE: WHISTLEBLOWER AWARD

The Court has before it the Government's Motion for Whistleblower Award in United States v. Efploia Shipping Co., S.A. [Document 5 in MJG-11-0652], the Government's Motion for Whistleblower Award in United States v. Aquarosa Shipping, A/S [Document 3 in MJG-11-0671] and the materials submitted relating thereto. The Court finds that a hearing is unnecessary at the present stage.

In each case, the Court imposed a fine of \$925,000 payable over 36 months in quarterly installments (with interest) with the first payment due May 25, 2012. The Government seeks to have the Court award Salvador Lopez one-half of the fines

collected pursuant to 33 U.S.C. § 1908(a). However, the Government raises issues regarding the legal fees to be paid counsel for Salvador Lopez from the funds awarded. The matter of counsel's fees presents issues that will require further proceedings that will not be concluded by the date of payment of the first installment and possible subsequent installments of the fines.

In MJG-11-0671, the motion for a whistleblower award is unopposed by Defendant Aquarosa Shipping and shall be granted. Moreover, the Court sees no reason to delay payment of the award in this case to Salvador Lopez while resolving counsel's fee issues.

In MJG-11-0652, Defendant Efploia Shipping Co. opposes the motion. The Court may request further information prior to ruling upon the motion.

Accordingly:

1. The Government's Motion for Whistleblower Award in United States v. Aquarosa Shipping, A/S [Document 3 in MJG-11-0671] is GRANTED.
2. The Government's Motion for Whistleblower Award in United States v. Efploia Shipping Co., S.A. [Document 5 in MJG-11-0652] remains under consideration.

SO ORDERED, on Monday, April 16, 2012.

/s/ _____
Marvin J. Garbis
United States District Judge